

**BOROUGH OF WATCHUNG**  
**BOARD OF ADJUSTMENT**  
**DANIEL CRONHEIM, CHAIRMAN**

**Regular Meeting**  
**August 9, 2018**

**OFFICIAL MINUTES**  
**ADOPTED SEPTEMBER 13, 2018**

Vice Chairman Hunsinger called the Regular Meeting to order at 7:32 p.m. Board members present were Ms. Fechtner, Mr. Brown, Mr. Kita, Mr. Panzarella, and Mr. Lauerman. Also present were Steven Warner, Esq., Board Attorney, David Stires, P.E., Board Engineer, Ed Bennett, Zoning Official and Theresa Snyder, Board Clerk. There were 7 members from the public present.

Vice Chairman Hunsinger read the statement indicating the meeting was being conducted according to the Sunshine Law, the Municipal Land Use Law requirements, and the recording of the Minutes as required by law. He then led the flag salute to the American flag, and the Board members identified themselves for the record.

**APPROVAL OF MINUTES**

On motion by Ms. Fechtner, seconded by Mr. Panzarella, the minutes for the July 12, 2018 Regular Meeting were accepted and carried on voice votes with Mr. Brown abstaining.

On motion by Ms. Fechtner, seconded by Mr. Lauerman, the minutes for the July 12, 2018 Executive Session were accepted and carried on voice votes with Mr. Brown abstaining.

**RESOLUTION**

Resolution BA-R9  
Case No.: BA 18-07; Branco  
77 Oakridge Lane  
Block: 4405 Lot: 5  
Approved 7/12/18

On motion by Ms. Fechtner, seconded by Mr. Lauerman, the Board adopted the Resolution based on the following roll call vote:



On question as to why the portico was constructed without a variance, Ms. Mohr presented EXHIBIT A-2- Original set of plans prepared by Doug Asral, AIA, 9 Whippany Road, Suite B2-4, Whippany, NJ 07981, 8 pages. She showed on the original plans, that the architect had made a mistake in his schedule by listing the same existing front yard setback and proposed, 49.8'. In the drawing he did include the correct setback.

Mr. Bennett said he initially only looked at the schedule part of the plans which had an acceptable setback; therefore, he could issue permits. It wasn't until Ms. Mohr filed for a CO that Mr. Bennett realized the discrepancy in the schedule and the plans. He did not feel that the portico was intentionally built without a variance.

Mr. Warner asked if there were any other bulk variances that were needed. Both Mr. Stires, P.E. and Mr. Bennett agreed there were none. Mr. Warner, Esq., asked Ms. Mohr if she would comply with any and all other conditions for approval, to which she agreed.

Vice Chairman Hunsinger brought up the point that by expanding the home to 2,000 sq. ft., it brings the home into conformity with the zoning requirements in that area. He then opened the meeting to the public.

Mr. Bob Hess, 16 Edgemont Road was sworn in to make comments. Mr. Hess expressed his dissatisfaction with Pure Light Properties, LLC and the way they did the work on this project. He was very concerned with the land disturbance, tree removal and runoff on the property after the work has been completed.

Mr. Bennett explained that the applicant must comply with the engineering department in regards to land disturbance, tree removal and wastewater management before a CO can be issued. He said the house itself is fine.

Mr. Hess said that he was afraid that if this application was approved, other companies will come in and do damage to other properties in the neighborhood.

Mr. Warner, Esq., explained that this case did not have any bearing on any other case that will go before the Board. It had no precedential impact on other cases, but said the Board must look at this application and ask if the benefits outweigh the detriments.

Mr. Ryan Edwards, 25 Edgemont Road was sworn in to testify. As the new owner of the property, Mr. Edwards said he had a vested interest in the portico remaining. He said it provides coverage in bad weather, and if asked to remove it, would be a disservice to the property.

With there being no other questions from the public, the public portion of the meeting was closed.

On question by the Board, Mr. Bennett explained that any stormwater management and other conditions are under the control of the engineering department.

On motion by Mr. Brown, seconded by Ms. Fechtner, the Board voted to grant the variance with conditions based on the following roll call vote:

Roll Call:	Ayes:	Ms. Fechtner, Mr. Brown, Mr. Kita, Mr. Panzarella, Mr. Lauerman and Vice Chairman Hunsinger
	Nays:	
	Not Eligible:	
	Abstain:	
	Absent:	Mr. Bell, Mr. Dallas and Chairman Cronheim

### **REQUEST**

On motion by Mr. Panzarella, seconded by Mr. Brown, the Board unanimously voted to grant the Watchung Borough Recreation Department's request for temporary signs for the following:

Yankee vs. Rangers game for 1 week – August 6<sup>th</sup> thru August 10  
9/11 Memorial Ceremony – August 27<sup>th</sup> – Sept. 12<sup>th</sup>  
Movie Night – August 27<sup>th</sup> – Sept. 24<sup>th</sup>  
Fishing Derby – August 27<sup>th</sup> – Sept. 24  
Harvest Festival – Sept. 24<sup>th</sup> – Oct. 15<sup>th</sup>  
Veterans Day – Oct. 29<sup>th</sup> – Nov. 12<sup>th</sup>

### **ADJOURN**

On motion by Mr. Brown, seconded by Ms. Fechtner, the Board unanimously voted to adjourn the meeting at 8:15 p.m.

Respectfully Submitted,

*Theresa Snyder*

Theresa Snyder  
Board Clerk